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EX(3) 1632\$

PATENT  
Attorney Docket 056100-5020-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Susan M. DYMECKI *et al.* )  
Application No. 08/866,279 ) Group Art Unit: 1632  
Filed: May 30, 1997 ) Examiner: Anne Marie Baker  
For: **USE OF FLP RECOMBINASE** )  
**IN MICE** )

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Commissioner of Patents  
Washington, D.C. 20231

DEC 06 2002

TECH CENTER 1600/2900

Sir:

AMENDMENT TRANSMITTAL FORM

1. Transmitted herewith is an Amendment in response to the Office Action dated June 5, 2002, the time period for response to which expired September 5, 2002.

2. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

[ ] Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

[X] Applicants petition for an extension of time, the fees for which are set out in 37 CFR 1.17(a)-(d), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
[ ] one month	\$ 110.00	\$ 55.00
[ ] two months	\$ 400.00	\$200.00
[X] three months	\$ 920.00	<b>\$460.00</b>
[ ] four months	\$1,440.00	\$720.00

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If an additional extension of time is required, please consider this a Petition therefor.

- ☐ An extension for \_\_\_ months has already been secured and the fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

3. **Constructive Petition**

- ☒ **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

4. **Additional Papers Enclosed:**

- ☒ 10 pages of attachments to Reply to Office Action

5. **Fee Calculation** (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	33	Minus	65	0	x \$ <del>84</del> each=	+ \$ 0.00
Independent Claims (37 C.F.R. §1.16(b))	3	Minus	6	0	x \$84 each=	+ \$ 0.00
<input type="checkbox"/> First presentation of Multiple dependent claim(s)					\$280.00	+ \$
<b>SUB-TOTAL =</b>						\$ 0.00
<b>Reduction by 1/2 for filing by a small entity-</b>						\$
<b>TOTAL FEE =</b>						\$ 0.00

6. **Fee Payment**

☐ No fee is to be paid at this time.

☒ Please charge **\$460.00** for the three-month extension of time fee to our Deposit Account No. 50-0310.

☒ The Commissioner is hereby authorized to charge any fees including fees due under 37 CFR §1.16 and §1.17 which may be required, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: December 4, 2002

By:



Bonnie Weiss McLeod

Reg. No. 43,255

**CUSTOMER NO.: 009629**

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